

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

PAMELA BRADFORD

Plaintiff,

v.

**MEADOWBROOK MEAT
COMPANY, INC., MCLANE COMPANY,
INC., SPIVEY CAUIAU, JR. and fictitious
parties "A", "B" and "C", being the persons,
firms, corporations, organizations, or entities
by whom the driver of the vehicle which
collided with the Plaintiff on the said occasion,
was employed or on whose behalf said vehicle
was being driven on the occasion made the
basis of this suit. All of these names are
otherwise unknown to Plaintiff but will
be substituted by amendment
when ascertained.**

Defendants.

Jury Trial Requested

COMPLAINT

Plaintiff, Pamela Bradford (hereinafter "Bradford") by and through undersigned counsel, makes the following statement:

JURISDICTION AND VENUE

1. Plaintiff Bradford is a citizen of the United States and a resident of the State of Alabama and lives in Jefferson County.

2. Upon information and belief, Defendant, Meadwobrook Meat Company, Inc. is a foreign corporation and has its principal place of business in the State of North Carolina.

3. Upon information and belief, Defendant, McLane Company, Inc. is a foreign corporation and has its and has its principal place of business in the State of Texas.

4. Upon information and belief, Defendant Spivey Cauiau, is a resident of Macon, Georgia.

5. This Court has jurisdiction over this matter pursuant to 28 U.S.C. §1332 in that complete diversity exists between the litigants and the amount in controversy exceeds \$75,000.00, exclusive of interest and costs.

6. Venue of this action is proper in this Court pursuant to 28 U.S.C. §1391.

CLAIMS

COUNT I: NEGLIGENCE

7. On or about the 3rd day of September, 2015 at approximately 0745 hours, Pamela Bradford, occupied a motor vehicle traveling on Grants Mill Road, a public roadway in Jefferson County Alabama.

8. At the aforesaid time and place, Defendant Spivey Cauiau, Jr. (hereinafter “Cauiau”) and/or John Doe did negligently or wantonly cause or allow

the motor vehicle [tractor trailer] he was then and there operating, to run into, upon or against the motor vehicle occupied by Bradford. Specifically, Defendant Spivey crossed over into the lane of Bradford causing her to run under the tractor trailer he was operating.

9. As a proximate consequence of the negligence or wantonness of the Defendants, including those named as fictitious parties in the caption of this Complaint, Pamela Bradford was injured and damaged as follows:

(a) She was knocked and shocked in and about various portions of her body. More specifically, she suffered severe injuries to her spine, neck, head, and upper and lower body;

(b) She suffered great physical pain and mental anguish; and

(c) She was caused to incur expenses for treatment from various doctors, physicians, physical therapists and hospitals.

WHEREFORE, PREMISES CONSIDERED, the Plaintiff demands judgment against the Defendants, those named and those named as fictitious parties in the caption of this Complaint, for damages in the amount a jury may reasonably determine, together with interest from the date of the injury plus the costs of this action, but avers that Plaintiff's claim is for more than \$75,000.00.

COUNT TWO: NEGLIGENT ENTRUSTMENT

10. Plaintiffs adopt and reallege paragraphs 1-10 as if fully set out herein below and add thereto the following.

11. On or about the 3rd day of September 2017, Defendants Meadwobrook Meat Company, Inc. and McLane Company, Inc., A, B, and/or C negligently entrusted a motor vehicle to Defendant Cauiau knowing said Defendant Cauiau to be a reckless, careless, heedless, and indifferent driver to be without the requisite discretion to drive, render the vehicle in the hands of said Defendant Cauiau a dangerous instrument.

WHEREFORE, PREMISES CONSIDERED, the Plaintiff demands judgment against the Defendants, those named and those named as fictitious parties in the caption of this Complaint, for damages in the amount a jury may reasonably determine, together with interest from the date of the injury plus the costs of this action, but avers that Plaintiff's claim is for more than \$75,000.00.

PLAINTIFF DEMANDS A TRIAL BY STRUCK JURY

Respectfully submitted,

/s/Roderick T. Cooks
Roderick T. Cooks
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Attorneys for the Plaintiff

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DEFENDANTS' ADDRESSES:

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